A. Permit Certificate

Idaho Fresh Pak, Inc. – Plant No. 2 (Idaho Falls)
WASTEWATER-LAND APPLICATION PERMIT
LA-000010-04

Idaho Fresh Pak, Inc., Plant No. 2, LOCATED AT **6140 West River Road, Idaho Falls, Idaho 83221** AND IN **T3N R37E Sections 25, 26, 35 and 36** IS HEREBY AUTHORIZED TO CONSTRUCT, INSTALL, AND OPERATE A WASTEWATER-LAND APPLICATION TREATMENT SYSTEM IN ACCORDANCE WITH THE WASTEWATER-LAND APPLICATION RULES (IDAPA 58.01.17), THE WATER QUALITY STANDARDS AND WASTEWATER TREATMENT REQUIREMENTS (IDAPA 58.01.02), THE GROUND WATER QUALITY RULE (IDAPA 58.01.11), AND ACCOMPANYING PERMIT, APPENDICES AND REFERENCE DOCUMENTS. THIS PERMIT IS EFFECTIVE FROM THE DATE OF SIGNATURE AND EXPIRES ON **August 17, 2003**.

James Johnston
Idaho Falls Regional Administrator
Idaho Department of Environmental Quality

10/18/03
Date

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
900 North Skyline, Suite B, Idaho Falls, Idaho 83402
(208)528-2650

POSTING ON SITE RECOMMENDED

B. Permit Contents, Appendices and Reference Documents

Reference Documents

1. Plan of Operation
2. Odor Management Plan
3. Livestock Grazing Management Plan
4. Waste Solids Management Plan
5. Buffer Zone Plan
6. Hydrogeological Investigation Plan and Report

The Sections, Appendices, and Attachments listed on this page are all elements of Wastewater-Land Application Permit No. **LA-000010-04** and are enforceable as such. This permit does not relieve **Idaho Fresh Pak, Inc.**, hereafter referred to as the permittee, from responsibility for compliance with other applicable federal, state or local laws, rules, standards or ordinances.

Table B-1 – Definitions

Ac-in	Volume of Water covering 1 acre of land to a depth of 1 inch. = 27,154 gal.
COD	Chemical Oxygen Demand
DEQ or the Department	Idaho Department of Environmental Quality
Director	Director of the Idaho Department of Environmental Quality, or the Directors Designee, i.e. Regional Administrator
GS	Growing Season – April 01 through October 31 (214 days)
GWQR	IDAPA 58.01.11 "Ground Water Quality Rule"
Handbook or Guidelines	Handbook for Land Application of Municipal and Industrial Wastewater, DEQ, April 1996.
HLRgs	Growing Season Hydraulic Loading Rate limit. Includes any combination of wastewater and supplemental irrigation water applied to each land application hydraulic management unit.
HLRngs	Non-Growing Season Hydraulic Loading Rate limit. Includes any combination of wastewater and supplemental irrigation water applied to each land application hydraulic management unit.
HMU	Hydraulic Management Unit
IWR	Irrigation Water Requirement – Any combination of wastewater and supplemental irrigation water applied at rates commensurate to the moisture requirements of the crop, and calculated monthly during the growing season (GS). Calculation methodology for the IWR can be found in the DEQ *Handbook for Land Application of Municipal and Industrial Wastewater, April 1996* on pages IV-6 and IV-7.
IDAPA	Idaho Administrative Procedures Act.
lb/ac-day	Pounds (of constituent) per acre per day
MG	Million Gallons (1 MG = 36.827 acre-inches)
MGA	Million Gallons Annually (per WLAP Reporting Year)
NGS	Non-Growing Season – November 01 through March 31 (151 days)
NMS	Nutrient Management Standard as defined by the Natural Resources Conservation Service. *Conservation Practice Standard, Nutrient Management Code 590, NRCS, ID, June 1999.*
NVDS	Non-Volatile Dissolved Solids (= Total Dissolved Solids less Volatile Dissolved Solids)
SI	Supplemental Irrigation water applied to the land application treatment site.
SMU	Soil Monitoring Unit
TDS	Total Dissolved Solids or Total Filterable Residue
TDIS	Total Dissolved Inorganic Solids – The summation of chemical concentration results in mg/L for the following common ions: calcium, magnesium, potassium, sodium, chloride, sulfate, and 0.6 times alkalinity (alkalinity expressed as calcium carbonate). Nitrate and fluoride shall be included if present in significant quantities (i.e. > 5 mg/L each).
TMDL	Total Maximum Daily Load – The sum of the individual wasteload allocations (WLA's) for point sources, Load Allocations (LA's) for nonpoint sources, and natural background. Such load shall be established at a level necessary to implement the applicable water quality standards with seasonal variations and a margin of safety which takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality. IDAPA 58.01.02 *Water Quality Standards and Wastewater Treatment Requirements*
Typical Crop Uptake	The median crop nutrient uptake from the three (3) most recent years the crop has been grown. For HMU's having less than three years of crop uptake data, regional crop yield data and typical nutrient content values, or other values approved by DEQ, may be used.
USGS	United States Geological Survey
WLAP	Wastewater Land Application Permit (or Program)
WLAP Reporting Year	The reporting year begins with the non-growing season and extends through the growing season of the following year, i.e. November 01 – October 31. For example, the 2000 Reporting Year was November 01, 1999 through October 31, 2000.
WW	Wastewater applied to the land application treatment site

C. Facility Information

Legal Name of Permittee	Idaho Fresh Pak, Inc. (Idahoan Foods)
Type of Facility	Industrial – Potato Processing (dehydration)
Type of Wastewater	Potato Processing Wastewater
Method of Treatment	Slow Rate Land Application
Facility Location	6140 West River Road Idaho Falls, Idaho 83221 Elevation: 4730 feet
Legal Location (Land Application Site)	Approximately 1.5 miles north of Idaho Falls Airport T3N R37E Sections 25, 26, 35 and 36
County	Bonneville
USGS Quad(s)	Idaho Falls North, Idaho
Soils on Site	Bannock Loam, Bock Loam, Pancheri Silt Loam, Harston Fine Sandy Loam
Depth to Ground Water	145 – 165 feet to regional aquifer, Southwest direction of flow
Beneficial Uses of Ground Water	Agricultural, Industrial, Domestic
Nearest Surface Water	-Snake River -Great Western Canal
Beneficial Uses of Surface Water	-Great Western Canal: Agriculture -Snake River: Domestic Water Supply, Agriculture, Cold Water Biota, Salmonid Spawning, Primary Contact Recreation, Secondary Contact Recreation
Responsible Official Mailing address Phone/Fax	Todd Scott, Plant Engineer Idaho Fresh Pak, Inc. P.O. Box 130 Lewisville, Idaho 83431 Tel: (208) 754-4686 Fax: (208) 754-0094
Facility Consultant Mailing Address Phone/Fax	N/A

D. Site Specific Permit Conditions

1) The permittee is allowed to apply wastewater and treat it on the land application site as prescribed in Table D-1 below and in accordance with all other applicable permit conditions and schedules. No limit in this table shall be exceeded.

2) Constituent and Hydraulic loading rate limits listed in this section are on a per acre basis in the event the permittee does not wish to utilize the entire acreage of a permitted Hydraulic Management Unit. Constituents may be applied to select portions of Hydraulic Management Units provided that the per acre loading rate limits are not exceeded. The per acre constituent loading rates shall be determined based on the actual acreage utilized, which may be less than the total acreage of the permitted Hydraulic Management Unit.

3) Wastewater shall only be applied to treatment acreage where vegetative cover is grown and harvested. There shall be no wastewater application to fallow ground.

Table D-1 – Site Specific Permit Conditions

Category	Permit Limits and Conditions
Type of Wastewater	Potato Processing
Application Site Area	**310.0 acres total consisting of:** - 202.3 acre Original Site - 107.7 acre Expansion Site
Application Season	Year-Round
Growing Season (GS)	April 01 through October 31 (214 days)
Non-Growing Season (NGS)	November 01 through March 31 (151 days)
Maximum Annual Wastewater Loading Limit	**Original Site: 150.0 Million Gallons Annually (MGA)** **Expansion Site: 50.0 Million Gallons Annually (MGA)**
Growing Season Maximum Hydraulic Loading Rate[1] (HLR_{gs}), each Hydraulic Management Unit Note: Applies to the total volume of wastewater and supplemental irrigation water applied.	Growing Season Maximum Hydraulic Loading Rate (HLRgs) shall be no greater than the **Irrigation Water Requirement (IWR)** using data from the Idaho Falls FAA AP table of the following University of Idaho web site: http://www.kimberly.uidaho.edu/water/appndxet/index.shtml. The IWR for the crop grown is equal to the Mean Irrigation Requirement (IR) data from this table divided by the irrigation system efficiency. In lieu of the table, current climatic and evaporation data, or 30-year average data may be used to calculate the IWR, as defined in the DEQ 1994 *Technical Interpretive Supplement*, pages IV-6 and IV-7. Assume no carryover soil moisture and a leaching rate of zero in calculating the IWR. Application shall generally follow consumptive use rates for the crop throughout the season. Tailwater runoff to, and/or ponding within, the un-permitted "waste ground" south of Fields D and E is not allowed except as defined in Section D of this permit. Passive tailwater runoff from one HMU to another shall not be allowed upon completion of Section F. Compliance Activity CA-010-09.

Category	Permit Limits and Conditions
Non-Growing Season Maximum Hydraulic Loading Rate[1] (HLR_{ngs}), each Hydraulic Management Unit Note: Applies to the total volume of wastewater and supplemental irrigation water applied.	Original Site: **12.8 inches/acre (70.5 MG)**, each HMU Expansion Site: **3.7 inches/acre (10.7 MG)**, each HMU The maximum total NGS hydraulic loading rate for the land treatment site is **81.2 million gallons**. Tailwater runoff to, and/or ponding within, the un-permitted "waste ground" south of Fields D and E is not allowed except as defined in Section D of this permit. Passive tailwater runoff from one HMU to another shall not be allowed upon completion of Section F. Compliance Activity CA-010-09.
No Runoff	No Runoff is allowed from any site or fields used for wastewater land application except after a 25-year, 24-hour storm event or greater using Western Regional Climate Center (WRCC) Precipitation Frequency Map, Figure 28 "Isopluvials of 25-YR, 24-HR Precipitation." For this site, the 25-year, 24-hour event is **1.8 inches**.
Maximum Seasonal COD Loading Rate[1], each HMU	**GS: 50 lb/ac-day (seasonal average), each HMU.** **NGS: 50 lb/ac-day (seasonal average), each HMU.**
Annual Maximum Nitrogen Loading Rate[1] (from all sources including, but not limited to, wastewater and supplemental fertilizers)	**Original Site: 600 lb/ac-yr, each HMU.** **Expansion Site: 150% of Typical Crop Uptake, each HMU.**
Annual Maximum Phosphorus Loading Rate[1], each HMU (from all sources including, but not limited to, wastewater and supplemental fertilizers)	None at this time. DEQ reserves the right to re-open this permit for inclusion of phosphorus loading rate limits. See footnote no. 1.

Category	Permit Limits and Conditions
Annual Maximum Total Dissolved Inorganic Solids (TDIS) Loading Rate[1], each HMU	None at this time. DEQ reserves the right to re-open this permit for inclusion of TDIS loading rate limits. See footnote no. 1.
Ground Water Quality	Ground water quality shall be in compliance with the Ground Water Quality Rule (GWQR), IDAPA 58.01.11.
Construction Plans and Specifications	Pursuant to IC§39-118, detailed plans and specifications shall be submitted to DEQ for review and approval prior to construction, modification, or expansion of any wastewater treatment, storage or conveyance facilities. Within 30 days of completion of construction, the permittee shall submit as-built plans for review and approval or a letter from an Idaho-registered Professional Engineer certifying that the wastewater facilities were constructed or modified in substantial accordance with the approved plans and specifications.
Odor Management	All wastewater treatment systems, land application facilities and other operations associated with the facility shall not create a public health hazard or nuisance conditions including odors. The site shall be operated in accordance with an approved Odor Management Plan.
Livestock Grazing	Grazing is allowed on land treatment acreage only after the last harvest and only for the purposes of "fall cleanup" of roads, fence rows, and ditches in accordance with an approved Grazing Management Plan. The Grazing Management Plan shall follow the guidance located on the DEQ Internet site.
Waste Solids including Tare, Dredgings and Sludges	All waste solids including, but not limited to, silt, tare, dredgings and sludges shall be utilized or disposed of in accordance with Paragraph 6, Section H of this permit, and in accordance with an approved Waste Solids Management Plan.

Category	Permit Limits and Conditions
Buffer Zones[2]	All buffer zones must comply with, at a minimum, local zoning ordinances. The following buffer zone distances shall be provided between land application areas and the following items in accordance with an approved Buffer Zone Plan. • Dwellings 300 feet or more • Public Access Areas 50 feet or more • Natural Surface Waters 100 feet or more • Man-made Surface Waters 50 feet or more Buffer zone distances may be reduced to alternative distances by employing approved mitigation measures including: 1. Establishment of an effective physical barrier; 2. Utilization of "non-spray" irrigation (drag tubes or equivalent apparatus); 3. Managing irrigation systems in a manner which would prevent any spray or aerosol drift towards the buffered object; and/or 4. Runoff and/or over spray controls. Any mitigation measures to reduce buffer zone distances must be submitted to and approved by DEQ prior to use. If necessary, BMP's to prevent runoff from the site shall be used in the buffer zones around all areas where runoff may potentially occur. New BMPs shall be reviewed and approved by DEQ prior to installation.
Wellhead Protection[2]	The following buffer zones shall be maintained for wellhead protection: • 1000 feet or more shall be maintained between land application areas and public water supplies, unless a DEQ approved Well Location Acceptability Analysis indicates an alternative buffer zone is acceptable. • 500 feet or more shall be maintained between land application areas and domestic water supplies unless a DEQ approved Well Location Acceptability Analysis indicates an alternative buffer zone is acceptable. • 25 feet or more shall be maintained between land application areas and on-site monitoring and irrigation wells.

Category	Permit Limits and Conditions
Buffer Zones and Wellhead Protection	Notwithstanding any other provision of this permit, including without limitation the buffer zones set forth herein, the permittee shall comply with the following: 1) wastewater applied by the permittee shall be restricted to the premises of the land application site, and 2) the permittee shall not discharge wastewater to surface waters of the state, without first obtaining all permits and other authorizations required by state and federal law.
Surface Water Protection	For systems with wastewater and fresh irrigation water interconnections, DEQ-approved backflow prevention devices are required. The backflow prevention devices shall be tested for proper operation annually as required by Section E of this permit.
Flow Measurement and Calibration	The permittee shall calibrate flow meters and pumps annually for all meters and pumps used to directly or indirectly measure wastewater, tailwater, flushing water, and supplemental irrigation water flows applied to the land application treatment fields. Calibration documentation shall be submitted to DEQ annually with the Annual Report as required by Sections E. and G. of this permit.
Supervision	DEQ recommends that the operator attend any applicable training that is offered by the Southeast Idaho Operator Section of the Pacific Northwest Pollution Control Association (i.e. wastewater pre-treatment, operation and maintenance of pumps, emergency response, the use of polymers for water and wastewater treatment, etc.) and become certified through the Idaho Wastewater Operators Certification program during the life of this permit.
Fencing and Posting	Fencing and posting not required.

Footnotes:

1) Loading rates are subject to revision upon completion of Compliance Activity No. CA-010-06 and results of the investigations.
2) Existing buffer zones are allowed until final determination of buffer zones are made upon review and approval of the facility's updated buffer zone and wellhead protection plan. See Section F, CA-010-05.

A. Monitoring Requirements

1.) The permittee shall monitor and measure parameters as stated in the Facility Monitoring Table E-1 in this section.

2.) Samples shall be collected at times and locations that represent typical environmental and process parameters being monitored.

3.) Appropriate analytical methods, as given in the *Handbook for Land Application of Municipal and Industrial Wastewater* (DEQ, 1996), or as approved by the Idaho Department of Environmental Quality shall be employed.

4.) A description of approved sample collection methods, appropriate analytical methods, and QA/QC procedures shall be included in the Operation and Maintenance Manual (see Section F, CA-010-01).

5.) Unless otherwise agreed to in writing by DEQ, data collected and submitted shall include, but not be limited to, the parameters and frequencies listed in Table E-1.

6.) Ten (10) soil sample locations shall be selected for each management unit with greater than fifteen acres and five (5) soil sample locations shall be selected for each management unit with fifteen acres or less. Three (3) soil samples shall be collected at each sample location, one at 0-12 inches, one at 12-24 inches, and one at 24-36 inches or refusal. The soil samples collected at each depth shall be composited to yield three (3) samples, one at each depth, for analysis from each management unit.

7.) Ground water monitoring wells shall be purged a minimum of three (3) casing volumes prior to obtaining a sample of ground water. The static water level shall be measured prior to pumping or sampling the ground water. The pumping rate for purge and sampling and other Standard Operating Procedures shall be appropriate for obtaining representative ground water samples. Detection levels for Groundwater Chemical Oxygen Demand, Iron, and Manganese shall be no higher than **5** mg/L, **0.05** mg/L, and **0.005** mg/L, respectively.

8.) Monitoring locations are defined in Appendix 1, Environmental Monitoring Serial Numbers. Wastewater shall be sampled as follows: 24-hour composite samples having four (4) aliquots evenly distributed over time shall be taken of the wastewater to be land applied.

9.) Annual reporting of monitoring requirements is described in Section G, Reporting Requirements.

10.) Sampling of domestic wells listed in Table E-1 is required only for those wells for which permission has been obtained to take samples. Documentation of the owner's permission is required prior to taking sample, or owner must decline permission in writing.

Table E-1 – Facility Monitoring Requirements

Frequency	Monitoring Point	Description and Type of Monitoring	Parameters
Daily	Flow Meter	Wastewater volume to land application	Total Volume (MG)
Daily	Each HMU	Wastewater volume applied	Volume (MG and inches) to each HMU
Daily	Each HMU	Supplemental Irrigation volume applied	Volume (MG and inches) to each HMU
Daily during NGS	Meteorological data and field conditions	Temperature, Precipitation, and field conditions	High and low air temperatures (°F) and precipitation (inches) during each 24 hour period. Field condition observations (frozen, not frozen, ice layer, areas of ponding, etc.)
Monthly	Effluent to land application	Wastewater quality into land application system. 24-hour composite sample	Chemical Oxygen Demand, Total Kjeldahl Nitrogen, Ammonia-Nitrogen, Nitrate-Nitrogen, Total Phosphorus, Total Suspended Solids, Electrical Conductivity, pH
Monthly during GS	Each HMU	Calculate IWR for each crop type	Volume (MG and inches) required per crop, per HMU, report monthly
Quarterly[3] (Jan, Apr, Jul, Oct)	Effluent to land application	Wastewater quality into land application system. 24-hour composite sample	Total Dissolved Inorganic Solids[2] (TDIS) – see Table B-1. Submit analysis of individual ions in addition to TDIS.
Quarterly[3] (Jan, Apr, Jul, Oct) for the first year only	Effluent to land application	Wastewater quality into land application system. 24-hour composite sample	Total Dissolved Solids (TDS), Volatile Dissolved Solids (VDS), Non-Volatile Dissolved Solids (NVDS)
3 times per year (Mar, Jul, Oct)	Groundwater Monitoring Wells listed in Appendix 1	Grab sample of groundwater (See Note 7)	Water table elevation, water table depth, Specific Conductivity, Temperature, pH, Total Dissolved Solids (TDS), Nitrate Nitrogen, Total Phosphorus, Chloride, Sulfate, Total Iron, Dissolved Iron[1], Total Manganese, Dissolved Manganese[1]
Annually (July)	Supplemental Irrigation at diversions	Grab sample of supplemental irrigation into land application system	Total Dissolved Solids, Volatile Dissolved Solids, Nitrate-Nitrogen, Total Phosphorus, Chloride
Twice per Year (Apr and Nov)	Each Soil Monitoring Unit[4]	See Monitoring Requirement Note No. 6	Electrical Conductivity, pH, Nitrate Nitrogen, Ammonium Nitrogen, Plant Available Potassium, Plant Available Phosphorus (Olsen Method)
Annually (April)	Each Soil Monitoring Unit[4]	See Monitoring Requirement Note No. 6	DTPA-Iron, DTPA-Manganese, Organic Matter (percent)

Frequency	Monitoring Point	Description and Type of Monitoring	Parameters
Annually (Nov)	Each Soil Monitoring Unit[4]	See Monitoring Requirement Note No. 6	Sodium Adsorption Ratio
Annually	Each HMU[4]	Crop Yield	Tons/acre, Bu/acre, etc. as appropriate and Total yield (lbs) per harvest for each crop within each HMU (specify moisture content of each crop)
Annually	Each HMU[4]	Plant tissue analyses: Composite sample of harvested portion of each crop per harvest	Nitrate-Nitrogen, Total Kjeldahl Nitrogen, Total Phosphorus, Ash, Moisture
Annually	Each HMU[4]	Calculate crop nitrogen, phosphorus, ash removal	Nitrogen, phosphorus, ash removed in lbs/acre and total pounds (dry basis) per harvest for each crop within each HMU
Annually	Each HMU	Calculate wastewater loading rates	Volume (MG and inches) to each HMU. Report monthly, seasonally (GS, NGS), and annually.
Annually	Each HMU	Calculate supplemental irrigation loading rates	Volume (MG and inches) to each HMU. Report monthly, seasonally (GS, NGS), and annually.
Annually	Each HMU	Calculate Nitrogen loading from wastewater application	Nitrogen applied in lbs/ac-yr
Annually	Each HMU	Calculate Nitrogen loading from supplemental fertilizer application	Nitrogen applied in lbs/ac-yr (specify fertilizer guarantee for each application)
Annually	Each HMU	Calculate Phosphorus loading from wastewater application	Phosphorus applied in lbs/ac-yr
Annually	Each HMU	Calculate Phosphorus loading from supplemental fertilizer application	Phosphorus applied in lbs/ac-yr (specify fertilizer guarantee for each application)
Annually	Each HMU	Calculate Inorganic TDS (TDIS) loading from wastewater application	TDIS applied in lbs/ac-yr
Annually	Each HMU	Calculate Inorganic TDS loading (NVDS) from supplemental irrigation application	NVDS applied in lbs/ac-yr
Annually	Each HMU	Calculate COD loading from wastewater application	COD applied in lbs/ac-day (report seasonal averages for GS and NGS)

Frequency	Monitoring Point	Description and Type of Monitoring	Parameters
Annually	All flow measurement locations	Flow measurement calibration of all flows to land application	Document the flow measurement calibration of all flow meters and pumps used to directly or indirectly measure all wastewater, tail water, flushing water, and supplemental irrigation water flows applied to each HMU
Annually	All wastewater and fresh irrigation water interconnections	Backflow Testing	Document the testing of all backflow prevention devices installed at all wastewater and fresh irrigation water interconnections. Report the testing date(s) and results of the test (pass or fail). If any test failed, report the date of repair or replacement of backflow prevention device, and if the repaired/replaced device is operating correctly.
May of 2004 and 2007 only	Groundwater Monitoring Wells listed in Appendix 1	Grab sample of groundwater (See Note 7)	Sodium, Potassium, Calcium, Magnesium, carbonate, bicarbonate
May of 2004 and 2007 only	Domestic and municipal wells within ¼ mile of all land application acreage	Grab sample from domestic and municipal wells (with well owner's permission. See note no. 10)	Specific Conductivity, Total Dissolved Solids (TDS), Nitrate Nitrogen, Total Phosphorus, Chloride, Sulfate, Total Iron, Dissolved Iron[1], Total Manganese, Dissolved Manganese[1], Sodium, Potassium, Calcium, Magnesium, carbonate, bicarbonate

Footnotes:

1) Analytical results are required for dissolved iron and/or manganese only if the results for total iron and/or manganese exceed the Ground Water Quality Standards listed in IDAPA 58.01.11.
2) The summation of Total Dissolved Inorganic Solids (TDIS) shall include any of the following if they are present in significant amounts (i.e. >5 mg/L): Silica (SiO_3^{2-}), Nitrate (NO_3^-), and Fluoride (F^-).
3) Wastewater monitoring for TDIS, TDS, VDS, and NVDS is required four (4) times per year during normal plant operations. If facility is not operating during July, then sampling shall be performed during the month prior to shut-down.
4) The specified monitoring for Management Units MU-001008, MU-001009 and MU-001010 is not required until application of wastewater is initiated on these HMU's. Upon utilization of fields H, I and J, the permittee shall monitor, record and report all parameters and frequencies specified in Table E-1.

B. Compliance Schedule For Required Activities

The activities in Table F-1 shall be completed on or before the specified Completion Date unless modified by the Department in writing.

Table F-1 – Compliance Schedule.

Compliance Activity Number **Completion Date**	Compliance Activity Description
CA-010-01 **Nov. 30, 2003**	Idaho Fresh Pak, Inc. shall submit to DEQ for review and approval a Plan of Operation (Operation & Maintenance Manual or O&M Manual) for the wastewater land application facilities incorporating the requirements of this permit. The O&M Manual shall describe in detail the operation, maintenance, and management of the wastewater treatment system, and shall be designed for use as an operator guide for actual day-to-day operations to meet permit requirements. The O&M Manual shall include daily facility sampling and monitoring requirements to insure proper operation of the wastewater treatment facility, and shall include a description of approved sample collection methods, appropriate analytical methods, and QA/QC procedures for all monitoring requirements (including in-house and outside laboratory testing) listed in Section E. Monitoring Requirements. A Contingency Plan shall also be included as part of the O&M Manual. The Contingency Plan shall address, at a minimum, the following: 1. Spill Prevention, Containment and Countermeasures 2. Emergency Response 3. System Upsets The Contingency Plan shall contain detailed plans addressing runoff prevention requirements and minimization of ponding events within land application fields. Upon DEQ review and approval, the O&M Manual shall be incorporated by reference into this permit and shall be enforceable as a part of this permit.

Compliance Activity Number **Completion Date**	Compliance Activity Description
CA-010-02 **Nov. 30, 2003**	Idaho Fresh Pak, Inc. shall submit an updated Nuisance Odor Management Plan to DEQ for review and approval. The Plan shall include wastewater treatment systems, land application facilities, and other operations associated with the facility. The Plan shall include specific design considerations, operation and maintenance procedures, and management practices to be employed to minimize the potential for or limit odors. The Plan shall also include procedures to respond to an odor incident if one occurs, including notification procedures. Upon DEQ review and approval, the Plan shall be incorporated into the O&M Manual.
CA-010-03 **Nov. 30, 2003**	Idaho Fresh Pak, Inc. shall submit an updated Livestock Grazing Management Plan to DEQ for review and approval prior to any grazing activities. The plan shall follow the guidance in Chapter 4 of the *Handbook for Land Application of Municipal and Industrial Wastewater* (DEQ, 1996). Upon DEQ review and approval, the Plan shall be incorporated into the O&M Manual.
CA-010-04 **Nov. 30, 2003**	Idaho Fresh Pak, Inc. shall submit an updated Waste Solids Management Plan to DEQ for review and approval. The plan shall address how the requirements of Section H, No. 6 will be satisfied for all waste solids including, but not limited to, silt, tare, dredgings, sludges, clarifier and other solids. Upon DEQ review and approval, the Plan shall be incorporated into the O&M Manual.
CA-010-05 **Nov. 30, 2003**	Idaho Fresh Pak, Inc. shall submit an updated Buffer Zone and Wellhead Protection Plan to DEQ for review and approval. The plan shall address how the limits and conditions described in Section D of this permit will be satisfied. Upon DEQ review and approval, the Plan shall be incorporated into the O&M Manual.

Compliance Activity Number **Completion Date**	Compliance Activity Description
CA-010-06 **Nov. 30, 2003**	Idaho Fresh Pak, Inc. shall submit a plan to DEQ for review and approval to conduct exploratory drilling to further characterize the lithology of the site, and to determine if a perched aquifer system is present. The plan, once approved by DEQ, shall be implemented no later than 30 days after approval, or as otherwise specified in writing by DEQ. DEQ shall have the prerogative to observe all phases of drilling. The permittee shall provide no less than three (3) weeks notice to DEQ prior to drilling. Plan implementation, including drilling, shall not be undertaken prior to DEQ approval. Within 30 days of completion of exploratory drilling, the facility shall submit a Hydrogeological Investigation Report prepared by a qualified professional. The Report shall discuss all aspects and findings of the exploratory drilling, including whether perched aquifer system(s) exist, their areal extent, and the water quality of the perched system(s).
CA-010-07 **Aug. 31, 2004**	Submit plans and specifications for DEQ review and approval to install one (1) new ground water monitoring well along the southwestern boundary of the land treatment site. Within 60 days of review and approval of plans and specifications, the permittee shall install the new monitoring well. The permittee shall provide no less than three (3) weeks notice to DEQ prior to drilling. DEQ shall have the prerogative to observe all phases of drilling.
CA-010-08 **Feb. 28, 2005**	Sprinkler irrigation systems shall be managed and/or redesigned such that application rates are commensurate with infiltration rates to prevent generation of ponding and/or potential runoff from Hydraulic Management Units.
CA-010-09 **Feb. 28, 2005**	Tailwater pumpback systems shall be installed so that all tailwater generated is pumped back to supply conveyances for re-distribution to the land treatment site. Per Section D. of this permit, plans and specifications must be reviewed and approved by DEQ prior to construction. All flood fields shall be irrigated such that every irrigation event achieves substantially even distribution of water as would be typically achieved under well managed flood irrigation practices.

Compliance Activity Number **Completion Date**	Compliance Activity Description
CA-010-10 **Feb. 28, 2005**	Install run-time meters (i.e. hour meters) or flow meters on all pumps that are used to indirectly measure wastewater and/or supplemental irrigation water for permit monitoring and compliance purposes. Pumpback tailwater flows may or may not need to be measured, depending upon how such flows are routed and accounted for in treatment acreage loading.
CA-010-11 **As Specified**	Expansion acreage, Management Units MU-001008, MU-001009 and MU-001010, shall utilize sprinkler irrigation systems having coefficients of uniformity greater than 70%. Plans and specifications for all wastewater conveyance systems, irrigation systems, potential ground water monitoring wells, and any other structures or infrastructure related to the Expansion acreage shall be submitted to DEQ for review and approval prior to construction.
CA-010-12 **As necessary**	The facility shall offer to provide an alternate water supply that meets the limits set forth in the Ground Water Quality Rule (IDAPA 58.01.11) for: 1. Any domestic well exceeding GWQR standards due to past and/or present wastewater land application practices by the facility; or 2. Any ground water user whose beneficial use has been impaired due to past and/or present land application practices by the facility.
CA-010-13 **At least 6 months prior to permit expiration**	Meet with the Department for pre-application conference. Submit detailed application package to DEQ for permit renewal.

C. Reporting Requirements

1.) The permittee shall submit an Annual Wastewater-Land Application Site Performance Report ("Annual Report") prepared by a competent environmental professional no later than January 31 of each year, which shall cover the previous year from November 1 through October 31. The Annual Report shall include an interpretive discussion of monitoring data (ground water, soils, hydraulic loading, wastewater, etc.) with particular respect to environmental impacts by the facility. The Annual Report shall include ground water contour maps indicating depth to water and direction of flow for each monitoring period.

2.) The Annual Report shall contain the results of the required monitoring as described in *Section E. Monitoring Requirements*. All monitoring data generated by the facility as per *Section E. Monitoring Requirements* (including laboratory reports) shall be submitted to the Department with the Annual Report. Sampling frequencies greater than those prescribed in the Monitoring Requirements for parameters listed shall be included in the Annual Report.

3.) Notice of completion of any work described in *Section F. Compliance Schedule for Required Activities* shall be submitted to the Department within 30 days of activity completion. The status of all other work described in *Section F* shall be submitted with the Annual Report.

D. Standard Permit Conditions: Procedures and Reporting

1. The permittee shall at all times properly maintain and operate all structures, systems, and equipment for treatment, operational controls and monitoring, which are installed or used by the permittee to comply with all conditions of the permit or the Wastewater-Land Application Permit Regulations, in conformance with a DEQ approved, current Plan of Operations (Operations and Maintenance Manual) which describes in detail the operation, maintenance, and management of the wastewater treatment system. This Plan of Operations shall be updated as necessary to reflect current operations.

2. Wastewater(s) or recharge waters applied to the land surface must be restricted to the premises of the application site unless permission has been obtained from the DEQ authorizing a discharge into the waters of the State as stated in IDAPA 58.01.02.600.02.

3. Wastewater must not create a public health hazard or nuisance condition as stated in IDAPA 58.01.02.600.03. In order to prevent public health hazards and nuisance conditions the permittee shall:

    a. Apply wastewater as evenly as practicable to the treatment area;
    b. Prevent organic solids (contained in the wastewater) from accumulating on the ground surface to the point where the solids putrefy or support vectors or insects; and
    c. Prevent wastewater from ponding in the fields to the point where the ponded wastewater putrefies or supports vectors or insects.

4. As a result of the land application of wastewater, ground water of the state must not contain contaminants exceeding those values as referenced under IDAPA 58.01.11, the *Ground Water Quality Rule*, unless otherwise specified in this permit.

5. The permittee shall:

    a. Manage the wastewater land application treatment site as an agronomic operation where vegetative cover is grown and harvested or grazed to utilize the nutrients and minerals in the wastewater, and,
    b. Not hydraulically overload any particular areas of the wastewater land application treatment site.

6. All waste solids, including dredgings and sludges, shall be utilized or disposed in a manner which will prevent their entry, or the entry of contaminated drainage or leachate therefrom, into the waters of the state such that health hazards and nuisance conditions are not created; and to prevent impacts on designated beneficial uses of the ground water and surface water. The permittee's management of waste solids shall be governed by the terms of the DEQ approved Waste Solids Management Plan, which upon approval shall be an enforceable portion of this permit.

7. If the permittee intends to continue operation of the permitted facility after the expiration of an existing permit, the permittee shall apply for a new permit at least six months prior to the expiration date of the existing permit in accordance with the Waste Water Land Application Permit Regulations and include seepage tests on all lagoons per latest DEQ procedures.

8. The permittee shall allow the Director of the Idaho Department of Environmental Quality or the Director's designee (hereinafter referred to as Director), consistent with Title 39, Chapter 1, Idaho Code, to:

    a. Enter the permitted facility,
    b. Inspect any records that must be kept under the conditions of the permit.
    c. Inspect any facility, equipment, practice, or operation permitted or required by the permit.
    d. Sample or monitor for the purpose of assuring permit compliance, any substance or any parameter at the facility.

9. The permittee shall report to the Director under the circumstances and in the manner specified in this section:

    a. In writing thirty (30) days before any planned physical alteration or addition to the permitted facility or activity if that alteration or addition would result in any significant change in information that was submitted during the permit application process.
    b. In writing thirty (30) days before any anticipated change which would result in non-compliance with any permit condition or these regulations.
    c. Orally within twenty-four (24) hours from the time the permittee became aware of any non-compliance which may endanger the public health or the environment at telephone numbers provided in the permit by the Director (see below)

        DEQ Regional Office: see Permit Certificate Page
        Emergency 24-Hour Number: 1-800-632-8000

    d. In writing as soon as possible but within five (5) days of the date the permittee knows or should know of any non-compliance unless extended by the DEQ. This report shall contain:

        i. A description of the non-compliance and its cause;
        ii. The period of non-compliance including to the extent possible, times and dates and, if the non-compliance has not been corrected, the anticipated time it is expected to continue; and
        iii. Steps taken or planned to reduce or eliminate reoccurrence of the non-compliance.

    e. In writing as soon as possible after the permittee becomes aware of relevant facts not submitted or incorrect information submitted, in a permit application or any report to the Director. Those facts or the correct information shall be included as a part of this report.

10. The permittee shall take all necessary actions to prevent or eliminate any adverse impact on the public health or the environment resulting from permit noncompliance.

11. The permittee shall determine (on an on-going basis) if any noxious weed problems relate to the permitted sites. If problems are present, coordinate with the Idaho Department of Agriculture or the local County authority regarding their requirements for noxious weed control. Also address these control operations in an update to the Operations and Maintenance Manual.

E. Standard Permit Conditions: Modifications, Violation, and Revocation

1. The permittee shall furnish to the Director within reasonable time, any information including copies of records, which may be requested by the Director to determine whether cause exists for modifying, revoking, re-issuing, or terminating the permit, or to determine compliance with the permit or these regulations.

2. Both minor and major modifications may be made to this permit as stated in IDAPA 58.01.17.700.01 and 02 with respect to any conditions stated in this permit upon review and approval of the DEQ.

3. Whenever a facility expansion, production increase or process modification is anticipated which will result in a change in the character of pollutants to be discharged or which will result in a new or increased discharge that will exceed the conditions of this permit, or if it is determined by the DEQ that the terms or conditions of the permit must be modified in order to adequately protect the public health or environment, a request for either major or minor modifications must be submitted together with the reports as described in G. Reporting Requirements, and plans and specifications for the proposed changes. No such facility expansion, production increase or process modification shall be made until plans have been reviewed and approved by the DEQ and a new permit or permit modification has been issued.

4. Permits shall be transferable to a new owner or operator provided that the permittee notifies the Director by requesting a minor modification of the permit before the date of transfer.

5. Any person violating any provision of the Waste Water Land Application Permit Regulations, or any permit or order issued thereunder shall be liable for a civil penalty not to exceed ten thousand dollars ($10,000) or one thousand dollars ($1,000) for each day of a continuing violation, whichever is greater. In addition, pursuant to Title 39, Chapter 1, Idaho Code, any willful or negligent violation may constitute a misdemeanor.

6. The Director may revoke a permit if the permittee violates any permit condition or the Wastewater Land Application Permit Regulations.

7. Except in cases of emergency, the Director shall issue a written notice of intent to revoke to the permittee prior to final revocation. Revocation shall become final within twenty (20) days of receipt of the notice by the permittee, unless within that time the permittee request an administrative hearing in writing to the Director.

8. The Director shall notify the permittee in writing of any revocation hearing at least twenty (20) days prior to the date set for such hearing. The hearing shall be conducted in accordance with Title 67, Chapter 52, Idaho Code.

9. If, pursuant to Idaho Code. 67-5247, the Director finds the public health, safety or welfare requires emergency action, the Director shall incorporate findings in support of such action in a written notice of emergency revocation issued to the permittee. Emergency revocation shall be effective upon receipt by the permittee. Thereafter, if requested by the permittee in writing the Director shall provide the permittee a revocation hearing and prior notice thereof. Such hearings shall be conducted in accordance with Title 67, Chapter 52, Idaho Code.

1. The provisions of this permit are severable and if a provision or its application is declared invalid or unenforceable for any reason, that declaration will not affect the validity or enforceability of the remaining provisions.

2. The permittee shall notify the DEQ at least six (6) months prior to permanently removing any permitted land application site from service. Prior to commencing site closure activities, the permittee shall: a) participate in a pre-site closure meeting with the DEQ; b) develop a site closure plan that identifies specific closure or cleanup tasks with scheduled task completion dates in accordance with agreements made at the pre-site closure meeting; and c) submit the completed site closure plan to the DEQ for review and approval within forty-five (45) days of the pre-site closure meeting. The permittee must complete the DEQ approved site closure plan.

Appendix 1
Environmental Monitoring Serial Numbers
Computerized Data Reporting Serial Number Key

HYDRAULIC MANAGEMENT UNITS		
HMU Serial Number	**Description**	**Acres**
MU-001001	Field A (Original Site)	32.4
MU-001002	Field B (Original Site)	22.2
MU-001003	Field C (Original Site)	14.8
MU-001004	Field D (Original Site)	42.4
MU-001005	Field E (Original Site)	10.0
MU-001006	Field F (Original Site)	24.0
MU-001007	Field G (Original Site)	56.5
MU-001008	Field H (Expansion Site)	27.4
MU-001009	Field I (Expansion Site)	38.7
MU-001010	Field J (Expansion Site)	41.6

WASTEWATER SAMPLING POINTS	
WW Serial Number	**Description**
WW-001001	WW Effluent to Land Application System

SURFACE WATER SAMPLING POINTS	
SW Serial Number	**Description**
SW-001001	Supplemental Irrigation Water at Diversion to Land Application Site

Appendix 1
Environmental Monitoring Serial Numbers
Computerized Data Reporting Serial Number Key

SOIL MONITORING UNITS		
SMU Serial Number	**Common Name**	**Associated HMU**
SU-001001	Field A	MU-001001
SU-001002	Field B and Field C	MU-001002 and MU-001003
SU-001003	Field D and Field E	MU-001004 and MU-001005
SU-001004	Field F	MU-001006
SU-001005	Field G	MU-001007
SU-001006	Field H	MU-001008
SU-001007	Field I and Field J	MU-001009 and MU-001010

GROUND WATER SAMPLING POINTS		
GW Serial Number	**Common Name**	**Location (T R Sec ¼ ¼ ¼ ¼)**
GW-001001	MW-1 (IF-1)	T3N R37E 35dbd01
GW-001002	MW-2 (IF-2)	T3N R37E 35add01
GW-001003	MW-3 (IF-3)	T3N R37E 25ccc01
GW-001004	MW-4 (IF-4)	T3N R37E 25cab01
GW-001005	MW-5 (to be installed no later than Aug. 31, 2004)	To be determined

Appendix 2
Site Maps